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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

Report of the Secretary-General**

Summary

The present report is submitted in accordance with General Assembly resolution 71/195 and reports on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the resolution.

* A/72/150.
** The present report was submitted after the deadline in order to reflect the most recent developments.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 71/195, in which the General Assembly requested the Secretary-General to submit at its seventy-second session a report that included information provided by the United Nations High Commissioner for Human Rights on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the resolution. The report provides a summary of contributions received from 21 Member States and 2 intergovernmental organizations in response to a note verbale dated 10 April 2017.[1]

II. Information received from Member States

Algeria

2. Algeria reported that its Constitution stipulates that fundamental freedoms and human and citizen rights are guaranteed. The Constitution provides that any form of physical or moral violence or violation of dignity is prohibited (art. 40); offences against rights and freedoms, as well as physical or moral harm to the integrity of human beings, are punishable by law (art. 41); and freedom of worship and freedom of opinion shall be inviolable, and freedom of worship is guaranteed by law (art. 42). These constitutional freedoms have been implemented through legislative measures, with a view to enabling citizens to freely practise their religion.

3. It is within that framework that order No. 06-03 of February 2006 provides rules for the exercise of religious rites for non-Muslims. Article 2 of the order states that "the Algerian State, whose religion is Islam, guarantees freedom of worship, within the framework of respect for the Constitution, the present order, the laws and regulations currently in force, public order, morality, the rights and fundamental freedoms of third parties. The State also guarantees tolerance and respect between the different religions." Article 3 of the order affirms that the State shall protect religious associations of non-Muslims.

4. Article 8 of the decree entitled "Functions and deontology of the mosque" states that the mosque provides an orientation function, which consists of ordering the good and proscribing the evil, and that the mosque contributes in particular to the strengthening of religious and national unity through religious orientation and preaching. Article 12 of the decree prohibits the exploitation of mosques to harm individuals or groups. The Ministry of Religious Affairs and Endowment employs central inspectors on mission throughout the national territory to identify any practice contrary to the deontology of the mosque.

5. Article 4 of the Criminal Code prohibits discrimination against a person or a group based on religious affiliation. The creation of religious associations, which are entitled to organize collective worship, is subject to the same regulation.

6. Regulatory and organizational measures have been implemented by the Government, including improvements to training programmes and teaching methods for religious officers to enable them to combat different forms of violent extremism. There is also follow-up to and supervision of religious discourse delivered in mosques to counter and guard against extremist concepts.

[1] The full texts of the submissions are available for consultation at the Office of the United Nations High Commissioner for Human Rights.

Armenia

7. Armenia reported that a referendum was held in December 2015 on constitutional amendments to provide more comprehensive and effective protection of human rights in Armenia. According to article 29 of the Constitution, any discrimination based on any ground, such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, or membership in a national minority, shall be prohibited. Article 56 prescribes that everyone shall have the right to preserve his or her national and ethnic identity and that persons belonging to national minorities shall have the right to preserve and develop their traditions, religion, language and culture.

8. Article 41, as amended, stipulates that everyone shall have the right to freedom of thought, conscience and religion. That right shall include the freedom to change religion or belief, either alone or in community with others, and in public or in private, and the freedom to manifest one's religion or belief in preaching, religious ceremonies, other rites of worship or in other forms.

9. In order to fill relevant legislative gaps, the Ministry of Justice has initiated a procedure to develop a stand-alone anti-discrimination law which, among other things, shall define the term "discrimination" and the types thereof, as well as mechanisms for proving discriminatory motivation. It shall comprehensively address all grounds of discrimination, including discrimination based on religion or belief. It is expected that a stand-alone anti-discrimination law will have been adopted by the end of 2017.

10. In May 2017, the Government adopted its plan of action for the period 2017-2019 with regard to the national strategy on human rights protection, which also envisages the drafting of a new law on religious organizations to strengthen the guarantees for religious freedom in Armenia.

11. Armenia reported that religious organizations operate freely and construct their meeting places and places of worship. In recent years, Jehovah's Witnesses have built a new meeting house, and the Yazidi community has built the world's second largest cathedral complex. A new Yazidi temple, which will be the largest in the world, as well as a museum and a seminary, are also under construction in the village of Akna Lich.

Austria

12. Austria reported that, as Chair of the Organization for Security and Cooperation in Europe in 2017, Austria had organized various events on tolerance and non-discrimination at the international level. Austria also continued to support several projects, including the development of a toolkit by the Office for Democratic Institutions and Human Rights for the security of Jewish communities. In 2016, Austrian contributions helped to finance a project on the representation of Muslims in the media. Representatives of Austria have participated in a number of related events and meetings, including a conference on tolerance and diversity and a meeting on the role of religion and dialogue in preventing violent extremism.

13. A task force on dialogue of cultures and religions supports dialogue and interreligious civil society initiatives, such as a platform of churches and religious communities, established at the initiative of the religious communities of Austria. In September 2015, the platform drafted a joint declaration on freedom of religion, the protection of religious minorities, and the rejection of violence in the name of religion. Austria hosts the King Abdullah bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue, in Vienna.

14. At the national level, dialogue between the Government and the legally recognized churches and religious communities of Austria is institutionalized, as demonstrated by the ability of these communities to provide opinions on draft laws and regulations and their close cooperation with the Government on matters of education and health. The Federal Chancellery has hosted interreligious dialogues and the State Secretary has organized a roundtable with religious communities and a workshop to support the fight against hate speech on the Internet. The State Secretary has endorsed the publication of guidelines against hate postings and the work of the platform "CounterACT!". The campaign Together: Austria recruits "integration ambassadors" to visit schools, civil society organizations and workplaces.

Azerbaijan

15. Azerbaijan reported that, in 2016, about 600 awareness-raising events were organized by the State Committee on Religious Associations of the Republic of Azerbaijan in cooperation with institutions, other countries and regional and international organizations. A legal framework has been established to prevent discrimination based on nationality, race and religion. Laws on freedom of religious belief and on the fight against religious extremism have been adopted to regulate the activities of religious associations, to ensure implementation of the right to freedom of religious belief and to fight against religious extremism.

16. In accordance with the decree by the President, financial aid is regularly allocated to the Caucasus Muslims Board, the Baku and Azerbaijan eparchy of the Russian Orthodox Church, the mountain Jewish religious community, the European Jewish religious community, the apostolic prefecture of the Catholic Church and the Albanian-Udi Christian religious community.

17. The fourth World Forum on Intercultural Dialogue was held from 4 to 6 May 2017 in Baku. Azerbaijan actively cooperates with the United Nations Alliance of Civilizations and is an active member of its Group of Friends. The seventh global forum of the Alliance, on the theme "Living together in inclusive societies: a challenge and a goal", was held from 25 to 27 April 2016 in Baku.

18. Azerbaijan noted that there are presently more than 2,000 mosques, 13 churches and 7 synagogues in the country. There are also houses of worship and Islamic, Christian and Jewish religious educational institutions, as well as Hebrew language courses to teach the Hebrew language and courses on Jewish religion and culture. As at May 2017, 760 religious communities had been registered. The Government noted that it had created favourable conditions for Muslim and non-Muslim communities to celebrate their respective religious holidays and ceremonies.

Burundi

19. Burundi reported that there had not been any reports of abuse or acts of discrimination based on belief, religious beliefs or practices, or acts of incitement to religious hatred that threatened the spirit of tolerance and respect for diversity.

20. Articles 31 and 32 of the Constitution guarantee the right to freedom of expression, religion, thought, conscience and opinion; the right to freedom of assembly and association; and the right to establish organizations in accordance with the law. The legal framework for religious freedom is governed by the same national legislative framework that defines the conditions necessary for the registration and functioning of non-profit associations. All religious groups are obliged to register with the Ministry of the Interior.

21. Burundi reported that it subscribed to the principle of secularism of the State and respected all religious confessions and treated them equally and without discrimination. All religious groups have the right to profess and teach their faith, by means of radio, television and the press, to provide training in schools and to construct hospitals. The Government also guarantees religious groups the freedom to construct religious buildings and transfer funds into and out of the country, without State interference. The Ministry of Human Rights conducts annual training and awareness-raising sessions for the citizens of Burundi.

22. There are frequent meetings and exchanges between the Government, through various national institutions, and representatives of the different religious confessions and groups. In addition, religious feasts and holidays of various religious groups are observed. The Government stated that it was working to ensure that representatives of all sectors of society were present in public institutions.

23. With regard to the adoption of measures to prohibit incitement to imminent violence based on religion or belief, article 410 of the Penal Code provides for sanctions in cases of violence, insults, threats and disturbances to freedom of worship and freedom of conscience and their free exercise.

Cuba

24. Cuba reported that new institutions and religious organizations had obtained legal recognition as a guarantee of their rights and those of the people who profess religious beliefs. Religious institutions have increased their presence throughout the country and increased their activities locally, nationally and internationally. There are about 600 religious institutions and organizations, including those of the Baha'i, Buddhist, Christian, Islamic, Jewish, Spiritualist and Afro-Cuban religious communities. All of them have temples and houses of worship and carry out other activities on a regular basis and without impediment. The construction, repair and reconstruction of new temples and social headquarters are also facilitated.

25. A legal provision was recently approved to enable the registration or updating of records in the property register for the properties of religious institutions and associations, including those for which no documentation certifying ownership is available, but for which ownership is evident.

26. The governmental and political authorities of the country, as well as those of several religious institutions, encourage interreligious activities and meetings on topics of common interest to foster dialogue between adherents of different religions, such as that organized by the Interreligious Platform of Cuba, in 2015. Results of these dialogues and meetings are publicized through government media and the publications of the religious institutions that function in the country.

27. In previous years, the country hosted the VI Assembly of the Latin American Council of Churches and the VII World Congress of the International Spirit Council, and it has received visits from high-ranking international religious figures, such as the historic meeting in Havana in 2016 between Pope Francis and Patriarch Kirill of Moscow and All Russia, which led to the issuance of a joint declaration.

Denmark

28. Denmark reported that the Constitution provides for freedom of religious belief and assembly, while Danish law prohibits any kind of discrimination based on religion or belief.

29. The Constitution guarantees the right to form religious communities without prior approval of the State. Approval is necessary only if the religious community or congregation wants to obtain certain special advantages, such as the right to perform

marriages with civil validity in Denmark or the possibility of deducting contributions from its annual tax declaration. Pursuant to the Constitution, the Evangelical Lutheran Church shall be the established church of Denmark and, as such, is awarded special status and supported by the State. The Government noted the importance of protecting the rights of religious communities other than the Evangelical Lutheran Church. A committee on religious communities drafted a report on the possibility of introducing comprehensive regulation on the status of the other religious communities. The report included criteria and procedures for granting acknowledgement and the legal effects thereto.

30. When carrying out a criminal investigation, the police are obliged to follow national legislation prohibiting any kind of discrimination on the basis of, inter alia, faith, race, skin colour, national or ethnic origin or sexual orientation. At the police academy, students are taught to combat and prevent ethnic and religious profiling and to avoid discrimination of any kind when conducting investigations and other law enforcement activities.

31. The national police have initiated national monitoring of hate crimes to provide knowledge about the actual extent of hate crimes and related developments, and it issues an annual publication on reported hate crimes. The first training day for law enforcement officers on dealing with hate crimes was held in February 2017 and will, in the future, be offered as continuing education for law enforcement officers from police districts. Similarly, the Director of Public Prosecutions has the main responsibility for the training and education of the entire national prosecution service. Guidelines on the processing of cases of hate crimes by both prosecutors and police officers have recently been revised.

Honduras

32. Honduras reported that the Criminal Code had established various provisions that penalized hate crimes, including Legislative Decree No. 23-2013 of the Penal Code, which classifies hate as a general aggravating factor. Article 321 of the Penal Code provides for punishment of three to five years and a fine of 30,000 to 50,000 lempiras for any person who arbitrarily and illegally obstructs, restricts, diminishes or impedes the exercise of individual and collective rights or denies the provision of a professional service on several grounds, including religion.

33. National human rights institutions, non-governmental organizations, religious bodies and the media promote tolerance and respect for religious and cultural diversity, as well as awareness of different cultures and religions or beliefs. Education in the promotion of tolerance, including acceptance and respect for diversity, religion and culture, especially in relation to religious expression, is being stressed.

34. The Ministry of Education is implementing a national human rights education plan that includes actions to counter religious intolerance. The creation of collaborative networks to consolidate mutual understanding, promote dialogue and stimulate constructive action towards common policy objectives is being encouraged.

Italy

35. Italy reported that Act No. 115 of 16 June 2016 introduced a penalty of imprisonment from 2 to 6 years in cases where propaganda, instigation and incitement are based in whole or in part on the denial of the Holocaust or crimes of genocide, humanity and war crimes, in accordance with articles 6, 7 and 8 of the Statute of the International Criminal Court.

36. The Committee for the restoration of Block 21 of the Museum of Auschwitz-Birkenau, established by the Office of the President of the Council of Minister and composed of representatives from ministries and the main associations of Jews and ex-deportees to Nazi camps, proposed to the President of the Council a complete and comprehensive project for the restoration of Block 21 and for planning a new Italian exhibition there. In 2016, the Committee had fruitful exchanges with Museum management to prepare an agreement on the above-mentioned exhibition. On the occasion of the Plenary Assembly of the International Holocaust Remembrance Alliance, in November 2016, Italy was appointed to the presidency of the Alliance for 2018.

37. On the occasion of the commemoration of Holocaust Memorial Day, on 27 January 2017, the Presidency of the Council of Ministers, together with the Union of Jewish Communities, organized in Rome a round table on the theme "Law and legality: the weapons of democracy — from the memory of the Shoah to an integration of human rights in the European Union". The Presidency of the Council, together with a committee to coordinate celebrations in remembrance of the Holocaust, has granted patronage to different institutional events in Italy that have been organized to commemorate Holocaust Memorial Day.

38. In addition, Judgment No. 67/2017 of the Constitutional Court has rendered unlawful part of article 2 of Venetian Regional Law No. 12/2016, which had introduced the obligation to use the Italian language in agreements governing all activities relating to religious services. The Court highlighted that Italy recognized the principle of freedom of religion and confessional pluralism; that free exercise of worship was an essential aspect of freedom of religion that applied equally to all people and to all religious denominations regardless of whether they had entered into an agreement (*Intesa*) with the State; and that the opening of places of worship was protected by article 19 of the Constitution and could not be subject to conditions contained in agreements with the State.

39. The interministerial commission for agreements with religious denominations has concluded negotiations on the drafting of two texts, pursuant to article 8 of the Constitution, with the Romanian Orthodox Diocese of Italy and the Church of England in Italy, respectively.

Jordan

40. Jordan reported that at no time had there been recorded an issue based on a purely racial basis, given the country's ability to integrate all groups under one umbrella, even if their intellectual, ideological or ethnic systems were different.

41. Article 6 of the Constitution provides that Jordanians are equal before the law, and there is no discrimination allowed in terms of rights and responsibilities, regardless of race, language or religion. The Constitution also guarantees equal rights for all persons, whether citizens or non-citizens, and guarantees many rights that concern education, work, freedom of assembly, the formation of political parties, associations and trade unions, freedom of opinion and expression, and freedom of religion and belief.

42. Article 101 of the Constitution accords everyone the right to gain access to the courts, regardless of race, colour, religion or nationality. Jordanian legislation contains many provisions that condemn the dissemination of ideas based on racism and hatred, incitement to acts of violence, and acts that provoke violence against any race, sex or religion or that promote or assist any discriminatory activity.

43. Article 150 of the Penal Code stipulates that all writing, speech or action intending or resulting in the provocation of sectarian or racial prejudice or

incitement of conflict between sects and various elements of the nation shall be punishable by imprisonment for a period of six months to three years and a fine that does not exceed 50 dinars. Similarly, article 20 of the Audiovisual Media Law No. 26 of 2015 stipulates that licensees are obligated to: (a) respect human dignity, personal privacy, the freedoms and rights of others and pluralism of expression; and (b) not to broadcast material that offends public decency, incites hatred, terrorism or violence, triggers religious, sectarian or ethnic strife, harms the economy and national currency or undermines national and social security.

44. The National Centre for Human Rights promotes the principles of human rights in Jordan and non-discrimination against citizens based on race, language, religion or gender, in accordance with the rule of law. The Centre works through various means to guide citizens in learning about their rights, assists them in taking measures to safeguard those rights in the event of an attack, and covers losses incurred during an attack if it is proven that the aggressor is unable to pay restitution.

Malta

45. Malta reported that the National Commission for the Promotion of Equality, pursuant to the Equality for Men and Women Act, worked to safeguard equal treatment with respect to religion or belief in employment, education and vocational guidance, as well as by banks and financial institutions. Its Commissioner is empowered to investigate complaints of alleged discrimination in the areas that fall within the Commission's remit. Six reported complaints on the grounds of religion or belief were investigated between 2013 and 2016.

46. The Commission is also mandated to provide training on diversity, equality and non-discrimination, including with respect to religion or belief, to different groups of stakeholders, including students, employers, employees in the private sector and public officers. It regularly publishes articles and press statements in printed media, participates in television and radio programmes and utilizes social media to pass on targeted messages to a wide range of audiences. Its website is a source of information on its mandate and functions.

47. Following a public consultation held in 2015 by the Ministry for Social Dialogue, Consumer Affairs and Civil Liberties, two bills, on equality and on a human rights and equality commission, were presented to Parliament for the first reading in December 2016. Once enacted, the bills will restructure and strengthen the national legal framework on human rights and discrimination by transforming the National Commission for the Promotion of Equality into a human rights and equality commission that is answerable to Parliament, with a wider mandate and sanctioning powers.

Mauritius

48. Mauritius reported that section 16 of the Constitution provides that no law shall make any provision that is discriminatory, either of itself or in its effect, and that no person shall be treated in a discriminatory manner on the grounds of race, caste, place of origin, political opinion, colour, creed or sex by any person acting in the performance of any public function conferred by any law or otherwise in the performance of the functions of any public office or any public authority.

49. Section 17 of the Constitution provides that a citizen who alleges that his or her right under section 16 is being or is likely to be contravened may submit an application to the Supreme Court for redress. Under section 11 (1), no person shall be hindered in the enjoyment of his or her freedom of conscience, and that freedom includes freedom of thought and religion, freedom to change his or her religion or

belief, and freedom to manifest and propagate, either alone or in community with others, and both in public and private, his or her religion or belief through worship, teaching, practice and observance.

50. Several related laws have been enacted by Parliament over the years that make it a criminal offence to discriminate against a person on the basis of race, religion or place of origin. The Equal Opportunities Act (2008) prohibits direct and indirect discrimination on the grounds of a person's age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation.

51. The Ministry of Arts and Culture encourages the creation of collaborative networks to build mutual understanding and promotes intercultural dialogue to enhance tolerance for cultural diversity. The Committee of the Wise, composed of leaders of the main religions present in Mauritius, regularly meets to discuss prevailing issues of national importance, with a view to maintaining harmony among the country's multi-faith population. The media play an important role as watchdog and immediately denounce acts of intolerance.

Philippines

52. The Philippines reported that the 1987 Constitution the country provided two guarantees of religious freedom based on the principle of separation of Church and State under the establishment clause and the free exercise clause.[2] The establishment clause prohibits the establishment of a State religion and the use of public resources to support or prohibit a religion. As a secular State, the Philippines protects religious rights, and all religious groups are equal under the law.

53. In a report on international religious freedom issued in 2016, the Office of the President's Task Force on Interreligious and Intercultural Concerns stated that, from a review of available data, in coordination with the Presidential Human Rights Committee, there were no reported cases of abuse or restriction on religious freedom, religious groups, religious institutions, or religious activities and practices.

54. The Revised Penal Code punishes any public officer or employee who prevents or disturbs the ceremonies or manifestations of any religion (art. 132) and penalizes any person who performs acts offensive to the feelings of the faithful in a place devoted to religious worship or during the celebration of any religious ceremony (art. 133). The Civil Code makes any public officer or employee or any private individual liable for damages for directly or indirectly obstructing, defeating, violating or in any manner impeding or impairing the freedom of religion of another person (art. 32).

55. The Constitution ensures and mandates unconditional tolerance, without regard to whether those who seek to profess their faith belong to the majority or the minority. It provides that the free exercise and enjoyment of religious profession and worship shall be without discrimination or preference. As reflected in a decision of the Supreme Court, there is a policy of benevolent neutrality, which allows for the accommodation of religion under certain circumstances.[3] Several laws have been enacted to accommodate religion in the Philippines, and major religious days have been declared national holidays. The Government has also continued to recognize the needs of the faithful to fully observe their respective religious traditions and celebrations.

[2] See the decision of the Supreme Court in *Imbong v. Hon. Ochoa, Jr.*, G.R. No. 204819, 8 April 2014.

[3] See the decision of the Supreme Court in *Diocese of Bacolod v. Commission on Elections*, G.R. No. 205728, 21 January 2015.

56. The Omnibus Election Code expressly prohibits the political participation of religious groups that seek to achieve their goals through violence, bans their intervention in elections, prohibits them from raising and donating to campaign funds, and prevents clergy from coercing subordinates to vote for or against any candidate.

Qatar

57. Qatar reported that the mission of the Doha International Centre for Interfaith Dialogue was aimed at creating better flows and networks of communication between groups and individuals that form the human family. The main role of the Centre is to spread through dialogue a culture of acceptance of others and peaceful coexistence among followers of different religions.

58. The Centre provides opportunities for scholars and clergy to present exemplary stories from their respective scriptures to provide guidance on how to address challenges. Clergy and church officials based in Doha are invited to advise the Centre on the improving communication between Qatari and non-Qatari residents, and non-Qatari residents are given a platform to express their concerns regarding their well-being.

59. The Government and the Centre hosted, in Doha on 24 and 25 March 2014, the fourth session of the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief. The session focused on advancing religious freedom through interfaith collaboration and brought together interfaith and relevant government experts, thereby contributing to collaborative partnerships between the Government and civil society in the promotion of those goals.

60. The Centre has also annually hosted the Doha Interfaith Conference for the past 12 years, under the patronage of Emir of Qatar and with support from the Ministry of Foreign Affairs. The most recent Conference was held on 16 and 17 February 2016 on the theme "Spiritual and intellectual security in light of religious doctrines".

61. In 2017, the Centre has continued to support and organize various activities aimed at strengthening constructive dialogue among followers of different religions in order to better understand how the principles of religious teachings can be harnessed in the service of humanity, based on mutual respect and recognition of differences. The activities have included youth forums, football tournaments, radio programmes, book fairs, cultural and literary round tables, training forums and cultural dialogues in Doha and around the world.

Romania

62. Romania reported that the Constitution guarantees religious freedom for all Romanian citizens, and in accordance with article 30, paragraph 7, any instigation to national, racial, class or religious hatred and any incitement to discrimination shall be prohibited by law.

63. Article 13 of Law No. 489/2006, on religious freedom and the general status of religions in Romania, stipulates that relations between religions and between religious associations and groups shall be based on mutual understanding and respect. The Law guarantees religious freedom at the individual and the institutional levels for those who are members of religious associations and recognized religions. Furthermore, Romania has adopted related legal instruments such as Decree No. 137/2000, on preventing and penalizing of all forms of discrimination, and Law No. 504/2002, on audiovisual media.

64. At the time of reporting, the State Secretariat for Religious Affairs had not received notifications concerning intolerance, negative stereotyping, stigmatization, discrimination or incitement to violence against persons on grounds of religion from any individual or recognized religion.

65. The State Secretariat has organized and supported, including financially, numerous internal and international events with the purpose of promoting interreligious and interconfessional dialogue. The Consultative Council of Religions in Romania was established in 2011 for the purpose of consultation on all social issues of common interest, the promotion of solidarity and cooperation among the recognized religions and the prevention of interreligious and interconfessional conflicts among recognized religions. One of its main objectives is the prevention of and mediation in cases of possible interconfessional and interreligious disputes, including by discouraging and rejecting all forms of extremism.

Russian Federation

66. The Russian Federation reported that equality and non-discrimination on the grounds of sex, race, nationality, language, origin, religion and belief were among the fundamental principles of the Russian legal system. These principles create a foundation for the standard-setting activity of public authorities at all levels. Normative acts designed to prevent incitement to racial and religious hatred and to suppress radical and extremist activity play an important role in combating intolerance. The Criminal Code provides for criminal liability for extremist acts.

67. Anti-discrimination measures are also included in legislation that regulates human rights in the spheres of education, labour, health care, legal proceedings, social protection and culture. All forms of restrictions on and violations of rights based on social, racial, national, language or religious grounds are prohibited. The main principles of religious freedom are set out in the Constitution.

68. In accordance with Presidential Decree No. 1313 of 13 October 2004, the registration of religious organizations and general supervision of their activities is carried out by the Ministry of Justice. By the end of 2016, 29,840 religious organizations, representing 60 confessions and religions, had been registered. Interaction between religious associations and public authorities takes place at the federal and regional levels.

69. One of the largest non-governmental organizations engaged in interreligious dialogue is the Interreligious Council of Russia, established in 1998. The Council focuses on coordinating the efforts of religious associations in the spheres of peacemaking, developing relationships, strengthening public morality, preserving and recreating spiritual and cultural heritage, interreligious dialogue on important issues, and cooperation with international interreligious organizations.

70. In order to equally respect the traditional religions that exist in the Russian Federation, Federal Law No. 314-FL of 23 November 2015 was adopted. According to the Law, the texts of world religions that constitute their spiritual basis, as well as content and quotations taken therefrom, cannot be deemed extremist materials.

Slovakia

71. Slovakia reported that, effective 1 January 2017, an amendment to Act No. 300/2005 of the Criminal Code, on the concept of extremist crimes, had been adopted. Specific motives were also newly defined and henceforth include hatred against a group or an individual on the basis of their actual or putative religion or belief. The amendment also defined what constitutes extremist material, which includes written, graphical, video, audio or audiovisual recordings that promote,

encourage or incite hatred, violence or unreasonable treatment of a group of people or an individual based on race, nation, nationality, ethnic group, origin or religion.

72. In order to combat extremism, the Ministry of Justice established the function of court experts to assist with the detection, investigation and prosecution of bias-motivated criminal offences, including crimes motivated by hatred against persons for their religion or belief. Information is being gathered, including with respect to data collection, on criminal offences committed because of hatred towards groups or individuals based on their real or supposed political persuasion or religion.

73. The Ministry of the Interior has implemented a project on the effective monitoring, detection and clarification of manifestations of violent extremism in cyberspace with a view to reducing the risks of extremist propaganda dissemination on the Internet and to reducing radicalism within the most vulnerable groups. Four training sessions intended for police officers were held in September and October 2016 and focused on the problem of Internet-based extremism. The Church Division of the Ministry of Culture continues to organize educational seminars for churches and religious associations to address and combat extremism in the context of human rights.

74. In cooperation with the Office for Democratic Institutions and Human Rights, Slovakia has been working on the design and implementation of programmes to train law enforcement officers and prosecutors in combating hate crimes, to be implemented in 2017 by the Judicial Academy and the Police Academy.

Spain

75. Spain reported that a framework for interministerial cooperation to combat intolerance had been created to provide training and raise awareness of racism, xenophobia and other forms of intolerance. The training, aimed at groups of professionals involved in the fight against intolerance, including the police, judges, prosecutors and other civil servants, is intended to improve the collection and analysis of data on complaints filed, investigations processed, prosecutions initiated and sentences issued for crimes and/or misdemeanours motivated by discrimination or hatred.

76. In June 2016, a framework monitoring committee was established and a number of working groups were set up to focus on the collection of statistical data on incidents of hate, analysis and follow-up on rulings related to racism, racial discrimination, xenophobia and other forms of intolerance, hate speech and training. In 2017, a number of practical guides on hate crimes, data collection and monitoring were issued.

77. The national interlocutor for the European Union high-level group on combating racism, xenophobia and other forms of intolerance participated in the second follow-up exercise on compliance with the code of conduct on countering illegal hate speech online adhered to by Internet platforms such as Twitter, YouTube and Facebook, and in the work of the European Commission on the elimination of hate speech online, which has resulted in the reporting of 2,600 cases throughout Europe.

78. A project on training and awareness-raising that guides teachers and the educational community in the prevention and detection of racism, xenophobia and related intolerance has been implemented since 2015. A support manual for the prevention and detection of racism, xenophobia and intolerance has been published as a working tool, and information leaflets in Basque, Castilian, Catalan, Galician and English have been disseminated to schools and other key actors. A guide has been developed for health professionals to deal with victims of hate-related incidents.

Sudan

79. The Sudan reported that, in implementing the action plan set out in General Assembly resolution 71/195 for combating religious intolerance, it had taken actions and developed initiatives based on lessons learned that involved information-gathering, closer monitoring and proactive steps at the State level.

80. The Sudan has used its experience, as well as integrated and pioneering practices, in addressing cases of extremism that originate in the Sudanese context. It noted that such extremism could be overcome without depending on law enforcement, through intellectual and interactive behavioural therapy involving of community-based groups, families, scholars and specialists.

81. The Sudan has provided information about its experience in the "intellectual treatment" of the phenomenon of extremism and fanaticism and their various dimensions. Such treatment represents only one effective avenue for combating the phenomenon of extremism in Sudanese society and must be comprehensive in order to deal with the phenomenon. Different approaches are required, including individual treatment and psychological interventions, and should take into consideration the family history and childhood experiences of those who have been radicalized. It is important that community agencies, family members and individuals who are knowledgeable and competent be involved.

82. The Sudan noted the necessity of studying cases and trends in domestic radicalization and extremism to draw lessons, as well as the importance of addressing intellectual concepts, such as the issuance of fatwas and incitement against the State and society, in order to identify misconceptions. Sudan also noted the role of sheikhs and religious leaders in editing material to remove dangerous and extremist content and in addressing issues of "intellectual confusion".

Turkey

83. Turkey reported that it had undergone a reform process over the past decade and that a considerable number of those reforms concerned laws and regulations related to freedom of religion and belief. Freedom of religious belief, conscience and conviction in is guaranteed by the Constitution and relevant legislation. Pursuant to a Prime Minister's circular, citizens of different faiths have the right to enjoy and maintain their own identity and culture. In line with the decisions of the Reform Action Group, direct dialogue with non-Muslim citizens has been continuously strengthened, and periodic visits take place between government representatives and representatives of different faith groups.

84. Turkey noted that a number of religious ceremonies had been organized in monasteries, churches, mosques and synagogues, in particular following significant restoration projects. Amendments to Law No. 4928 (2003) and Law No. 3194 (1985) addressed the extension of freedoms to individuals of different faiths and beliefs with respect to the construction, maintenance and repair of their places of worship. A similar provision was also inserted into Municipality Law No. 5393 (2102), allowing municipalities to construct, maintain and restore sanctuaries and health, educational and cultural facilities.

85. Turkey stated that religious, social and cultural needs of those who sought refuge in Turkey were met regardless of their religion, sect or ethnicity. Within that context, Yazidis have been welcomed and have not been restricted in practising their religious rituals. Similarly, since the beginning of 2016, religious sermons have been delivered in Arabic during Friday prayers to 30,000 people in refugee camps and to 6,500 people outside the camps.

86. The Foundations Law No. 5737 (2008) introduced significant changes regarding various issues related to community foundations, including their activities, the receipt of financial assistance from abroad and representation in the Directorate General for Foundations, a decision-making body. A related statutory decree adopted in 2011 provided for the return of confiscated properties to community foundations established by members of different faith groups. Accordingly, 333 properties have been returned and compensation has been paid for 21 properties. Turkey indicated that properties with a value of more than 2.5 billion Turkish lira had been returned to community foundations.

Uzbekistan

87. Uzbekistan reported that it continued its consistent and systematic legislative, organizational and educational activities in order to combat intolerance and discrimination, based on religion or belief, as well as incitement to religious hatred. In June 2015, a national plan of action for the implementation of the recommendations of the Committee on the Elimination of Racial Discrimination was adopted, which envisaged the elaboration of anti-discrimination legislation and regular monitoring of the implementation of relevant laws. In August 2016, a national plan of action for the implementation of the recommendations of the Human Rights Committee and other human rights treaty bodies was approved. It consists of special measures to realize the principles of non-discrimination based on religion or belief, the right to freedom of conscience and the right to establish religious organizations.

88. In February 2017, a strategy for the five priority areas of Uzbekistan for the period 2017-2021 and a State programme on the theme "Year of dialogue with the people and human interests" were adopted. The fifth chapter of the State programme was devoted to priority areas, including religious and inter-ethnic tolerance and coexistence through continued consolidation of civil, inter-ethnic and interfaith peace and harmony in the country. It is envisaged that a programme of measures will be adopted under State policies on cooperation and interaction with religious organizations and on inter-ethnic peace.

89. Uzbekistan has carried out a number of training sessions, conferences and workshops in recent years. A round table on the theme "The rights of national minorities of Uzbekistan under governmental protection" was held in March 2016. In November 2016, an international conference on the theme "Inter-confessional dialogue and religious tolerance as the guarantee of social stability" was held at Tashkent Islamic University. In May 2017, a conference was held on the role of preventive and educational measures in combating religious extremism and terrorism.

III. Information received from inter-governmental organizations

Office of the United Nations High Commissioner for Human Rights

90. The Office of the United Nations High Commissioner for Human Rights (OHCHR) reported that it worked on various issues related to religious intolerance and emphasized that multiple forms of discrimination, in particular on the grounds of gender and religion or belief, might affect individuals and groups. The Office addresses issues of xenophobia, migration, religious freedom, religious profiling and incitement to racial, national and religious hatred. The High Commissioner for Human Rights has spoken out in various public forums, including the Human Rights Council. Upon request, the Office reviews draft anti-discrimination laws and constitutional amendments and it has been supporting several countries and

specialized bodies in developing national action plans against racism. It manages a database[4] on these issues, develops guidelines and carries out relevant training. Through its various field presences, the Office has carried out a number of activities to counter xenophobia and hate speech in Oman and Tunisia, and worked with journalists from the Russian Federation, Ukraine and West Africa.

Office for Democratic Institutions and Human Rights

91. The Office for Democratic Institutions and Human Rights reported that it worked closely with participating States members of the Organization for Security and Cooperation in Europe and civil society groups to counter hate crimes, racism, xenophobia, anti-Semitism and other forms of intolerance, including against Muslims, Christians and followers of other religions or beliefs. The Office also reviews legislation;[5] develops and promotes the use of educational materials and thematic guidelines; holds meetings on freedom of religion or belief and the fostering of mutual respect and understanding; builds capacity to address issues relating to freedom of religion or belief and hate crimes; works to improve national systems and to collect and disseminate information about hate crimes; conducts surveys on Holocaust remembrance; and carries out gender, diversity and judicial programmes.

IV. Conclusions

92. **On the basis of the contributions received, it is evident that all reporting States have constitutional provisions pertaining to freedom of religion or belief and have enacted or are in the process of enacting criminal or civil legislation to protect against discrimination and violence on the basis of religion or belief. A number of reforms and legislative amendments are being undertaken to strengthen national legal frameworks for equality and non-discrimination and bring them into line with international standards. Within many domestic constitutional and legal frameworks, incitement to violence is criminalized and often prohibited on several grounds, including on the basis of religion or belief.**

93. **While constitutional enactments and legislative provisions are the bedrock of the promotion of equality and protection against discrimination, other elements of the action plan set out in paragraphs 7 and 8 of General Assembly resolution 71/195 could be afforded greater attention. For instance, States could look to further support and fund local and national grass-roots projects aimed at increasing capacity-building, social cohesion, interfaith dialogue and youth forums and exchanges, as well as those aimed at increasing the participation of religious leaders and groups and affected communities. It will also be important to address religious profiling and to ensure that public administrations are representative.**

94. **States noted that Governments and political officials had spoken out against religious intolerance. This type of action at the highest level possible, including on the part of religious officials, is critical to countering negative stereotyping and stigmatization. Religious leaders are potentially very important human rights actors, as stressed by the High Commissioner.[6] It is in this context that faith-based and civil society actors participating in an OHCHR workshop in March 2017 adopted the Beirut Declaration and its corresponding 18 commitments on the theme "Faith for rights".**

[4] Available from http://adsdatabase.ohchr.org/SitePages/Anti-discrimination%20database.aspx.
[5] See www.legislationline.org.
[6] See www.ohchr.org/EN/Issues/FreedomReligion/Pages/FaithForRights.aspx.

95. **Interfaith and intercultural dialogue at the local, national, regional and international levels was underlined in several submissions. Dialogue at all levels is fundamental to addressing issues of religious intolerance. The action plan stresses the importance of collaborative networks. I welcome the fact that many of the reporting countries provide channels for communication and consultation among religious groups and communities and governmental authorities. Civil society, affected communities and all other interested stakeholders should be engaged as much as possible in the discussions and actions taken to foster inclusion and tolerance.**

96. **Freedom of religion or belief flourishes where freedom of expression is respected. Similarly, freedom of expression is essential to creating an environment in which constructive discussions about religious matters can be held. Interfaith and intercultural dialogues taking place at the local, national and regional levels, as noted in several submissions, are welcome and should be extended and further supported.**

97. **Hate crimes are a troubling feature of contemporary forms of discrimination. Many States reported on the actions they are taking in this area. Increased and improved monitoring, recording and reporting of hate crimes is needed. Data collection in this regard is critical, and I welcome the fact that a number of States have established or designated dedicated authorities to document, track and analyse hate crimes, identify patterns and trends and improve access to justice and services for victims. Such measures should be enhanced. It is important to recall that States bear the primary obligation to protect victims of human rights violations and to prevent discrimination and violence against persons based on their religion or belief. State authorities must remain vigilant and respond immediately and appropriately to all hate crimes.**

98. **Many reporting States referred to steps they had taken to combat religious intolerance and prevent violent extremism. Detailed guidance on preventing violent extremism is provided by the Secretary-General's Plan of Action to Prevent Violent Extremism (A/70/674). Notably, this guidance recommends that activities undertaken or supported by States be gender-sensitive, inclusive, tailored to the specific local context and based on a climate of trust between the State and those under its jurisdiction. The report of the High Commissioner on best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism (A/HRC/33/29) also provides important guidance. It underscores that key concepts related to violent extremism should be clearly defined, in particular when they are likely to trigger measures that may interfere with human rights, for example when the terms "extremism" or "radicalization" are used in reference to non-violent activities. Efforts to combat religious intolerance are most effective when pursued in a manner that recognizes that security and respect for human rights are not competing but rather complementary goals (A/HRC/33/29, paras. 2, 61 and 64 and A/HRC/34/35, para. 105).**

99. **Religious intolerance, negative stereotyping, stigmatization and discrimination are being addressed by States through public information and media campaigns and through educational measures. The "Together" Campaign of the United Nations is aimed at countering the rise in xenophobia and discrimination, including on grounds of religion or belief.**[7]

[7] See https://together.un.org/.

100. **It is a welcome development that several States under review in 2016 have accepted the recommendations from the universal periodic review to implement Human Rights Council resolution 16/18 on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief (A/HRC/32/8, para. 140.21, A/HRC/32/10, para. 120.95 and A/HRC/32/15, para. 120.54). Furthermore, in March 2017, the Human Rights Council adopted resolution 34/8, a thematic resolution in which the Council recalled its resolution 16/18 and its follow-up resolutions, and resolution 34/22, a country-specific resolution in which it encouraged increasing efforts further to promote tolerance and peaceful coexistence in all sectors of society in accordance with its resolution 16/18. In addition, the Special Rapporteur on freedom of religion or belief noted in paragraph 16 of his report of January 2017 (A/HRC/34/50) that the implementation mechanism for the action plan set out in resolution 16/18 had facilitated six rounds of meetings of the Istanbul Process, organized to foster dialogue and the sharing of practical experience.**

101. **As underscored by the High Commissioner in paragraph 116 of his recent report to the Human Rights Council (A/HRC/34/35), there is a need to increase and improve the reporting of States on the action plan to the Council and the General Assembly. This is something that I would also encourage.**